IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 3648 of 2007(H)

PETITIONER:

THIRUVANANTHAPURAM DIST. HEAD LOAD &
GENERAL WORKERS UNION (CITU)(REG.NO.146/70),
PARASSALA BRANCH, THIRUVANANTHAPURAM DIST.,
REPRESENTED BY ITS SECRETARY, N.P.SELVAN.

BY ADV. SRI.SUMAN CHAKRAVARTHY
SRI.K.A.JOSEPH RAJESH

RESPONDENTS:
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1. THE DIST. LABOUR OFFICER (DLO),
THIRUVANANTHAPURAM.

2. THE ASSISTANT LABOUR OFFICER,
NEYYATTINKARA.

3. THE DIST. HEAD LOAD WORKERS CONGRESS
(INTUC), KULATHOOR UNIT, REPRESENTED BY
ITS PRESIDENT.

BY GOVERNMENT PLEADER P.A.SALIM
SRI. BLAZE K. JOSE FOR R3.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/02/2007, ALONG WITH WPC NO. 2388 OF 2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

1)	EXT.P1:	COPY OF THE AREA OF WORK DATED 26.9.1991
2)	EXT.P2:	COPY OF THE IDENTITY CARD WITH REG.NO01.08.9764
3)	EXT.P3:	COPY OF THE IDENTITY CARD WITH REG.NO.01.08.536/04
4)	EXT.P4:	COPY OF THE ORDER/COMMUNICATION BY THE 2ND RESPONDENT DATED 22.07.05
5)	EXT.P5:	COPY OF THE REPRESENTATION DATED 27.7.05.
6)	EXT.P6:	COPY OF THE REMINDER REPRESENTATION DATED 01.03.06.
7)	EXT.P7:	COPY OF THE REPRESENTATION DATED 24.11.06.

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P.A.TO JUDGE.

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO.3648 OF 2007
and
W.P.(C).NO.2388 OF 2007

Dated this the 26th day of February,2007.

JUDGMENT

Koshy, J.

W.P.(C).2388/2007 was filed seeking police protection. According to the petitioners they are having identity cards and they are entitled to do loading and unloading work available in the area. This court by Interim Order, directed the police to maintain the law and order and to see that statutory orders are not violated. The grievance of the petitioners in W.P.(C).No.3648/2007 is that they are persons of the locality and they were entitled to the loading and unloading work in that area. They filed a petition against the order of the Labour Officer in granting identity cards to other persons. Exts.P6 and P7 are their representations. In the above circumstances, we direct the District Labour Officer, Thiruvananthapuram to dispose of Exts.P6 and P7 as expeditiously as possible, and decide who are the workers entitled to the work of loading and unloading in the local area. This has to be decided by the statutory authority on the facts of the case. We are not considering the merits or demerits of the matter in a petition under Article 226 of the Constitution of India.

Both Writ Petitions are disposed of with a direction that District Labour Officer to decide the matter untrammelled by any observation within two months from the date of receipt of a copy of this judgment. Meanwhile police is directed to see that law and order is maintained.

J.B.KOSHY, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

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